

REMARKS

The present amendment is in response to the Office Action dated April 27, 2007. Claims 1-3, 6-19, 21-27, 29-34 are now present in this case. Claims 4, 5, 20 and 28 are canceled. Claims 1, 19, 21-24, 27, 29, 30 and 34 are currently amended. No new claims have been added.

The Examiner will kindly note that representation in this matter has been transferred to another attorney. A revocation/substitute power of attorney is attached herewith.

Claims 23-27 and 34 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Publication No. 2002/0038369 to Sung et al. The applicant respectfully traverses this rejection and requests reconsideration.

Claim 23 has been amended, support for which is found at least on page 9 of the Application, lines 2-8. Claim 23 as amended is not anticipated by Sung because Sung does not disclose at least one limitation of amended claim 23(emphasis added):

establishing a wireless connection between the unactivated mobile wireless device and a user interface generator operable to receive from the unactivated mobile wireless device an indication of services desired, wherein the unactivated mobile wireless device initially has no non-emergency services provisioned on the mobile wireless network;

Sung does not disclose establishing a connection to devices that are unactivated. The Office Action (page 2) notes that Sung discloses in paragraph [0029]: “an inactivation of the communications unit of the mobile terminal (10) as in the power-off of the mobile terminal.” However, the meaning of “inactivation” in Sung is different than the meaning of “unactivated” in claim 23. The following quotation from the instant Application illustrates the meaning the Applicant intended:

Activation includes the process by which the mobile wireless device is added to the list of mobile wireless devices recognized by the system as permitted to make use of non-emergency services , including voice telephone calls. On a technical

level, various provisioning takes place to activate a mobile wireless device, including assignment of a 10 MIN (e.g., telephone number) and opening an account (e.g., for billing purposes). Page 9, lines 6-10.

The applicant has amended claim 23 to make clear that an "unactivated mobile wireless device" means a mobile wireless device that "initially has no non-emergency services provisioned on the wireless mobile network." This excludes a meaning of "unactivated" as powered off.

Furthermore, Sung discloses making a hardwired connection from a mobile terminal to the internet [0029], not "a wireless connection" to a "mobile wireless network" as in claim 23. Sung's hardwired connection is not a wireless connection and Sung's combination of interface unit 1 and internet 5 is not a mobile wireless network. A person of skill in the art would understand that a "mobile wireless network" is a network that connects to mobile devices wirelessly. Sung's combination of interface unit 1 and the internet 5 cannot be considered a "mobile wireless network" since the interface unit 1 connects to the mobile terminal 10 through a connector such as a LAN cable and has no provision for connecting to the mobile terminal wirelessly. Sung, paragraph [0027]. Sung paragraph [0025] discloses the connection between the second communications unit 23 and the internet may be wireless, but this is a connection within a network, not a connection between a network and a mobile device.

For at least these reasons, the Applicant believes this rejection has been overcome and that claim 23 as amended is in condition for allowance.

Claims 24, 27, and 34 have been amended similarly to claim 23. The Applicant believes this rejection of these claims has been overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 23, supra. The Applicant believes that claims 24, 27, and 34 are in condition for allowance.

Claims 25 and 26 are dependent on claim 24. The Applicant believes the rejections of these claims are overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 24, supra. The Applicant believes that claims 25 and 26 are in condition for allowance.

Claims 1-3, 19-27, and 29-34 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,836,651 to Segal et al.. The applicant respectfully traverses this rejection and requests reconsideration.

Claim 1 has been amended, support for which is found at least on page 9 of the Application, lines 2-8. Similar to the argument the Applicant made regarding claim 23, supra, claim 1 as amended is not anticipated by Segal because Segal does not disclose at least one limitation of amended claim 1 (*emphasis added*):

receiving an indication of one or more subscriber desired services, wherein the subscriber desired services are selected by a user via an electronic user interface, wherein the electronic user interface comprises a user interface presented by the mobile wireless device, wherein the mobile wireless device initially has no non-emergency services provisioned on the mobile wireless communication network;

Specifically, Segal does not disclose receiving an indication from a mobile wireless device that "initially has no non-emergency services provisioned on the mobile wireless communication network." The disclosure of Segal is directed at a cell phone system with voice recognition. Col. 12. lines 40-45. However, Segal does not disclose procedure steps involving wireless devices that initially do not have non-emergency services provision. For at least these reasons, the Applicant believes this rejection has been overcome and that claim 1 as amended is in condition for allowance.

Claims 2 and 3 are dependent on claim 1. The Applicant believes the rejections of these claims are overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 1, supra. The Applicant believes that claims 2 and 3 are in condition for allowance.

Claims 19, 21-24, 27, 29, 30 and 34 have been amended similarly to claim 1. The Applicant believes the rejections of these claims are overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 1, supra. The Applicant believes that claims 19, 21-24, 27, 29, 30 and 34 are in condition for allowance.

Claims 25 and 26 are dependent on claim 24. Claims 31-33 are dependent on claim 30. The Applicant believes the rejections of these claims are overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 24 and claim 30, supra. The Applicant believes that claims 25, 26 and 31-33 are in condition for allowance.

Claims 5-18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Segal et al. The applicant respectfully traverses this rejection and requests reconsideration.

Claim 5 has been canceled. Claims 6-18 are dependent on claim 1. The Applicant believes the rejections of these claims are overcome for at least the same reasons as the Applicant gave regarding the similar rejection of claim 1, supra. The Applicant believes that claims 6-18 are in condition for allowance.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. The applicant has made a good faith effort to place all claims in condition for allowance. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 757-8029.

Respectfully submitted,

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